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REMARKS

Claims 1-31 are pending in this application. The Office Action requires a restriction of the pending claims to one of the following groups:

- I. Claims 1-21 and 25-29. drawn to a method of compiling health information, classified in class 705, subclass 2.
- II. Claim 22, drawn to computer-readable medium encoded with processing instructions, classified in class 705, subclass 50.
- III. Claims 23-24 and 30-31, drawn to apparatus for compiling information, , classified in class 709, subclass 1.

In order to be fully responsive to the requirement for restriction, applicants hereby provisionally elect to prosecute the claims of Group I (claims 1-21 and 25-29.)


However, applicants respectfully traverse, and request reconsideration of, the restriction requirement. All of the claims in the application are directed to closely related aspects of the same invention. whose underlying concept is the compilation in a certain way of health information in a central database as directed by computer controlled facilities. A search relevant to the invention recited in the claims of elected Group I will necessarily uncover art relevant to the claims in the non-elected groups. In other words - and by way of example but not of limitation - examination of independent claim 22 of Group II and/or independent claim 23 of

Group III will properly require a search for the same art as that applicable to independent claim 1 of Group 1, i. e., art that employs processing instructions to derive a population statistic based on collective data that is related to a physically measured condition of plural users. Thus, there should be no serious additional burden on the Examiner to examine the claims in the non-elected groups along with the claims of the elected group.

Applicants respectfully disagree with the Examiner that the claims individually assigned to Groups I, II and III cover independent and distinct inventions. But even assuming arguendo that the Examiner is technically correct in this regard, "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims directed to distinct or independent inventions" M.P.E.P., Section 803 (emphasis added).

Accordingly, withdrawal of the requirement for restriction and examination of all of the pending claims in this application are believed to be warranted.

Respectfully submitted,



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